IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2007 OF 2006

Dr. Pradeep Pandya..... ... Applicant.

Versus

Kumar Aditya & another..... Respondents.

Mr. M. V. Swar for the Applicant.

Mr. Manoj Singh i/by Mr. Diwakar Dwivedi for Respondent No.1.

Mr. R. Y. Mirza, APP for Respondent No.2.

CORAM : D. B. BHOSALE, J.

DATED : 3RD JULY, 2006.

P.C.:

Heard learned counsel for the parties.

2. This application is directed against the order dated 21st April, 2006 by which the application of the applicant seeking exemption has been rejected without assigning any reason. The order dated 21st April, 2006 (Exhibit "D" to the application) is set aside. Learned Judge to consider the application of the applicant seeking exemption afresh in the light of the

law laid down by this Court in the case of **Bhaskar Sen v/s State of Maharashtra & Ors., 2004(4) All MR 606.** If the learned Magistrate intends to reject the application, it is necessary that he should record short reasons for the same.

2.With these bservation the application is disposed of.

Sd/-

(D. B. BHOSALE, J.)